

## WARREN COUNTY BOARD OF SUPERVISORS

**COMMITTEE:**                **SOCIAL SERVICES**

**DATE:**                      **DECEMBER 1, 2006**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS

TESSIER

SHEEHAN

BENTLEY

KENNY

F. THOMAS

**OTHERS PRESENT:**

REPRESENTING THE DEPARTMENT OF SOCIAL SERVICES:

ROBERT PHELPS, COMMISSIONER

DOUGLAS HERSCHLEB, DIRECTOR OF SERVICES

MICHAEL JABAUT, DIRECTOR OF ADMINISTRATIVE  
SERVICES

KATHY BAKER, FISCAL MANAGER

**COMMITTEE MEMBERS ABSENT:**

SUPERVISOR

O'CONNOR

JOAN SADY, CLERK OF THE BOARD

SUPERVISOR GERAGHTY

MAURY THOMPSON, *THE POST STAR*

**VACANT:**

TOWN OF QUEENSBURY

KATY GOODMAN, SECRETARY TO THE CLERK OF THE BOARD

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Mr. Tessier called the meeting of the Social Services Committee to order at 10:48 a.m.

Motion was made by Mr. Bentley, seconded by Mr. Kenny and carried unanimously to approve the minutes of the October 20<sup>th</sup> meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Robert Phelps, Commissioner of the Department of Social Services, who distributed copies of his agenda to the Committee members, a copy of which is on file with the minutes. Mr. Phelps began by detailing the pending items listed on his agenda; the first item, he noted, was discussion with respect to the CPS (Child Protective Services) caseworker turnover. Mr. Phelps said that as discussed in prior Committee meetings, his Department continued to review the titles for this position. He noted that he had made inquiries with the other Departments of Social Services throughout New York State to find that those agencies were using the title to move staff from one program area to another as they experienced turnover in the CPS area. Mr. Phelps stated that if the title were changed it could work against his Department. He requested the opportunity to research the matter further to see what strategies other agencies were employing to address this State-wide issue, prior to the Committee making any decision.

Mr. Phelps advised that the second pending item referred to an update on the State Training Schools rate increase. He reminded the Committee that there had been a 43% increase in per diem costs for State Training Schools and he had included a copy of the official notification of the increase in the agenda. Mr. Phelps noted that immediately upon receiving the notice he had forwarded a letter to Assemblywoman Sayward objecting to the way in which New York State was handling this matter and the fact that there had been no adjustment in the rate since 2000; a copy of the letter had also been included in the agenda, Mr. Phelps added. He noted that it did not appear that there would be any immediate relief from this increase as his Department had already received the invoice charging back for the first two quarters of 2006, and totaling \$159,000. Mr. Phelps said that he was anticipating a shortfall as a result of this unanticipated rate increase. He advised that this issue would be addressed further later in the meeting.

Agenda item number one, Mr. Phelps apprised, pertained to the Medicaid weekly shares report. He said that a copy of the report had been included in the agenda and was the same one that he distributed each month. Mr. Phelps noted that as per the report, \$1.8 million would have been

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the Local Share had there not been a Medicaid cap.

Mr. Phelps stated that the second agenda item listed detailed a USDA (United State Department of Agriculture) performance award in the amount of \$9,756. He explained that award had been received in relation to program quality improvement initiatives that Counties across the State had undertaken. Mr. Phelps said that the revenues did not include any usage requirements and could be used to offset any revenue shortfalls within the Department. He noted that a copy of the notification of this award was included in the agenda.

Proceeding to the third agenda item, Mr. Phelps advised that he had provided a copy of the performance measures report, which was provided annually. He advised the reports reflected that Warren County was rating extremely well in relation to other Districts across the State of New York. Mr. Phelps noted that Warren County was rated second in the State in the reduction of temporary assistance recipients between June 2005 and June 2006. He added that the report also reflected their efforts in work participation and requirements and the significant efforts in locating employment for recipients. Other reports show that Warren County was one of the districts with the lowest percentage of families meeting the Federal time limit for transitioning from Federal to the State and County programs, Mr. Phelps apprised. He noted that Warren County was number one in New York State for entries to employment. Mr. Phelps said that there were several different reports included in the agenda and he noted that a complete annual report would be provided early in 2007.

Mr. Phelps stated that the fourth agenda item pertained to the Budget Performance Report and multiple resolution requests. He noted that he had emailed the Budget Performance Report to each Committee member as directed. Mr. Phelps explained that the agenda included two resolution requests which pertained to the Countryside Adult Home. He advised that in the past these requests had been approved contingent upon review and approval of the Westmount Health Facility and Countryside Adult Home Committee; Mr. Phelps added that these requests would also be presented by Hal Payne, Administrator of the Westmount Health Facility, during that Committee meeting. The first request, he advised, was a request for transfer of funds in the amount of \$11,058 from the part-time salaries code to the overtime salaries code and another in the amount of \$5,000 from the retirement code to the unemployment code. Mr. Phelps added that this transfer would have no impact on the Budget. The second request, he explained, was for supplemental appropriations due to a shortfall in salaries. As outlined in the request, Mr. Phelps explained that \$50,717 was needed for the regular salaries code and \$13,042 for the overtime salaries code. He noted that the State Aid for the Public Home would cover half of these costs, leaving a County share of \$31,880.

Mr. Kenny advised that there were no funds available to cover this shortfall and Joan Sady, Clerk of the Board, agreed. Mr. Tessier advised that the request must be referred to the Finance Committee for review and determination of a source of funding.

Motion was made by Mr. Sheehan, seconded by Mr. F. Thomas and carried unanimously to refer the request as outlined above to the Finance Committee for review and determination of a source of funding. Copies of the requests are on file with the minutes.

Mr. Bentley stated that it was unusual to have such a shortage in salaries and Mr. Phelps referred

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Mr. Bentley to Mr. Payne to determine the reason behind this deficit. Kathy Baker, Fiscal Manager, said she thought the shortage had been caused by the fact that upgrades had been granted for hospital aides in September and those costs had not been included in the Budget. She added that there were more per-diem than salaried staff employed by the Countryside Adult Home and those increased costs may have also contributed to the shortage. Mr. Tessier advised that in order to present the request to the Finance Committee, written justification for the shortage would be necessary, and Mrs. Baker said that she would be sure to prepare that information.

Mr. Phelps stated that the next resolution request included was for a transfer of funds between several codes; he added that these transfers were all budget neutral.

Motion was made by Mr. Kenny, seconded by Mr. Bentley and carried unanimously to approve the request and refer same to the Finance Committee. A copy of the request for transfer of funds is on file with the minutes.

Because there had been a shortfall in the hospitalization code of \$61,070, Mr. Phelps stated that a resolution request to amend the County Budget was included in the agenda. He noted that the majority of this cost would be offset by Federal and State funding; however, he noted, Warren County would be required to provide \$15,268 of this total. Mr. Phelps explained that the deficit had occurred due to salary re-allocations.

Mr. Tessier asked if the funds needed were available within the Budget and Mr. Phelps replied in the negative. He added that this amount would be a supplemental appropriation.

Motion was made by Mr. Kenny, seconded by Mr. F. Thomas and carried unanimously to refer the request to the Finance Committee for review and determination of a source of funding. A copy of the request is on file with the minutes.

Mr. Phelps advised that his next resolution request was to increase and decrease certain appropriations within the Budget; he added that these requests were also Budget neutral. Mr. Phelps explained that a portion of the transfers were necessary to cover a shortfall in foster care expenditures.

Motion was made by Mr. Sheehan, seconded by Mr. Bentley and carried unanimously to approve the request and refer same to the Finance Committee. A copy of the request is on file with the minutes.

Mr. Phelps apprised that the next request, to amend the County Budget, was also Budget neutral. He explained that the transfers related to HEAP (Home Energy Assistance Program), the costs of which were 100% reimbursable by New York State. Mr. Phelps advised that \$474,000 was needed to pay for the balance of the services provided for 2006.

Motion was made by Mr. Kenny, seconded by Mr. F. Thomas and carried unanimously to approve the request and refer same to the Finance Committee. A copy of the request is on file with the minutes.

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The last request, Mr. Phelps explained, was to amend the County Budget due to the 43% increase in State Training School rates; he added that the shortfall in this area was \$130,000, of which the County was responsible for 100%. Mr. Phelps stated that a shortfall in the amount of \$249,000 had also occurred for foster care payments. He said that State and Federal revenue was available to cover 75% of this cost; however, the County would be responsible for the remaining 25%, which totaled \$62,250. In summary, Mr. Phelps stated that the total deficit for both programs was \$192,250; these funds were not available in the Budget, he noted.

Mr. Kenny said that he thought a mandate had been passed by the Board refusing to pay the difference in State Training School rates. He added that although he was sure the State would simply regain the funds from other areas, Mr. Kenny said that the request for payment should be refused to let the State know of their displeasure with the situation. Mr. Phelps said that legally the costs must be paid and he was not sure he could refuse payment. He reiterated that immediately upon receiving notice of the increased rates he had drafted a letter to Assemblywoman Sayward objecting to the increase. He added that it was his hope that assistance would be given by Assemblywoman Sayward and NYSAC (New York State Association of Counties) to achieve relief from these increased costs. Mr. Kenny suggested that a copy of the grievance also be forwarded to Governor-elect Spitzer for consideration. Mr. Phelps advised that Governor-elect Spitzer had a transition team in place and possibly the letter could be sent to them for review.

Motion was made by Mr. Kenny, seconded by Mr. Sheehan and carried unanimously to refer the request to the Finance Committee for further review and determination of a source of funding. A copy of the request is on file with the minutes.

Mr. Phelps advised that the fifth item of the agenda was presentation of the overtime report for his Department. He noted that the majority of the overtime authorized was the result of CPS after-hours activity. Also, the HEAP program startup process had required some overtime which was 100% reimbursable by New York State, Mr. Phelps stated.

The sixth agenda item, Mr. Phelps apprised, pertained to a letter of interest received from the Berkshire Farm Center and Services for Youth; these were the operators of the Warren County Detention Home, he added. Mr. Phelps explained that the letter detailed their interest in relocating the building in which the WIC (Women, Infants & Children) program currently resided upon completion of the new Health and Human Services building. Although he was unaware of the County's intentions for the WIC building once vacated, Mr. Phelps said he wanted the Committee to be aware of the Berkshire Farm Center & Services for Youth's interest. Mr. Tessier stated that this would be an issue for consideration; however, the building would not be completed for some time and the issue was not currently pertinent.

Mr. Phelps advised that the final agenda item detailed a letter from James P. McDermott of Barton-McDermott Funeral Home, Inc. He explained that the letter sought an increase in the fees paid for indigent burials and requested permission to attend a future Social Services Committee meeting for negotiation. Mr. Phelps suggested that Warren County adopt the stance that they would be unable to increase the agreed upon fee for these services unless New York State increased their reimbursement level. In doing this, he noted, the Funeral Associations might apply pressure to State Legislators to increase the State reimbursement terms. Mr. Phelps

apprised that currently, the State reimbursed 50% of the reimbursement maximum which was \$900; this fixed scale had not been changed since 1987, he added. If the State were willing to increase their reimbursement level to offset any increase required by the Funeral Home Directors, the change would be neutral to the County.

Discussion ensued.

It was the consensus of the Committee that Mr. Phelps suggestion should be adopted and a letter of reply sent to Barton-McDermott Funeral Home, Inc. Mr. Phelps was authorized to draft a letter stating that the County would be unable to increase the agreed upon fees for indigent funeral services until the State increased their reimbursement levels.

As there was no further business to come before the Committee, on motion made by Mr. F. Thomas and seconded by Mr. Kenny, Mr. Tessier adjourned the meeting at 11:09 a.m.

Respectfully Submitted,  
Katy Goodman, Secretary to the Clerk  
*Typed by Amanda Allen, Legislative Office Specialist*